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Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

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Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan

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Note by the Secretary-General

Summary

In its resolution 2014/26, the Economic and Social Council requested the Secretary-General to submit to the General Assembly at its sixty-ninth session, through the Council, a report on the implementation of that resolution. The Assembly, in its resolution 69/241, also requested the Secretary-General to submit a report to it at its seventieth session. The present report, which was prepared by the Economic and Social Commission for Western Asia, is submitted in compliance with the resolutions of the Council and the Assembly.

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Israel continues employing practices and policies in violation of international humanitarian law and international human rights law. In 2014 the Palestinian civilian death toll was the highest recorded since 1967, and the level of destruction was unprecedented, owing in particular to the Gaza conflict in July and August 2014. Israeli discriminatory policies and practices in the Occupied Palestinian Territory and the occupied Syrian Golan include excessive use of force, settlement expansion, property destruction and exploitation of natural resources. Impunity is afforded to Israeli security and military personnel and settlers. The cumulative impact of these policies and practices not only violates the rights of the population, but also exacerbates their social and economic conditions.

The Economic and Social Commission for Western Asia wishes to acknowledge its appreciation for the substantive contributions of the United Nations Conference on Trade and Development, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the Office for the Coordination of Humanitarian Affairs, the International Labour Organization, the Food and Agricultural Organization of the United Nations, the World Health Organization, the World Food Programme, the United Nations Environment Programme, the United Nations Human Settlements Programme, the United Nations Entity for Gender Equality and the Empowerment of Women, the United Nations Population Fund, the Department for Political Affairs and the League of Arab States.

I. Introduction

1. The Economic and Social Council, in its resolution 2014/26, and the General Assembly, in its resolution 69/241, expressed concerns over the practices of Israel, the occupying Power, in the Occupied Palestinian Territory and the occupied Syrian Golan that were in violation of international humanitarian law. These practices have included causing the deaths and injuries of civilians, including children, women and peaceful demonstrators, all of whom must be protected in accordance with international humanitarian law. They have also included increasing acts of violence by illegal armed Israeli settlers against Palestinian civilians and their properties, as well as the continued detention of thousands of Palestinians, including children and women, under harsh conditions. The Council and the Assembly also expressed their concern about the accelerated construction by Israel of settlements, the construction of the wall inside the Occupied Palestinian Territory, the exploitation of Palestinian natural resources, the increased demolition of homes, economic institutions, agricultural lands and infrastructure, the revocation of residency rights of Palestinians in and around occupied East Jerusalem, Israeli military operations and policies of closures and severe restrictions on the movement of persons and goods, including what in effect amounts to a blockade of the Gaza Strip. The Council and the Assembly requested that the Secretary-General submit a report on the implementation of Economic and Social Council resolution 2014/26 and General Assembly resolution 69/241 examining the aforementioned practices of Israel and their socioeconomic impact.

II. Occupied Palestinian Territory

2. In spite of the 2004 advisory opinion of the International Court of Justice on the *Legal Consequences of a Wall in the Occupied Palestinian Territory* (see A/ES-10/273 and Corr. 1), among other assertions, Israel continues to deny the established fact that international human rights law and international humanitarian law are applicable in the Occupied Palestinian Territory (see A/69/347).

3. A number of Israeli policies and practices continue to undermine the right of the Palestinian people to self-determination. These include the transfer of Israeli citizens into occupied territory; the revocation of residency rights of Palestinians in East Jerusalem; Israel's blockade of Gaza; the closure regime in the West Bank, including the continued construction of the wall; restricted access in Gaza; demolition and/or confiscation of Palestinian structures, including residential, and the eviction of their inhabitants; control of the population registry; and the use of Palestinian natural resources (see A/69/347, para. 15).

4. Violations of international humanitarian law and international human rights law have been further entrenched through Israeli policies and practices (see A/69/347, para. 8).[1] In this context, the Committee on the Elimination of Racial Discrimination had censured Israel under the rubric of apartheid and segregation (see CERD/C/ISR/CO/14-16, para. 24).

5. On 7 July 2014, Israel launched a 51-day military offensive against the Gaza Strip, causing unprecedented loss of life and destruction. Concerns over the

[1] See also CRC/C/ISR/CO/2-4, para. 7 and CCPR/C/ISR/CO/3, para. 16.

possibility that international crimes were committed during the offensive prompted the establishment and dispatch of an independent, international commission of inquiry into relevant violations (see Human Right Council resolution S-21/1, para. 13).

Segregation and discrimination

6. Since the onset of the occupation in 1967, Israel has gradually created two different regimes in the West Bank that discriminate against residents according to their religion. A regime for Jewish residents, who are usually Israeli citizens and whose presence in settlements in occupied territory in itself contravenes international law,[2] ensures that they enjoy all the rights granted to Israeli citizens. Another regime has been created for Palestinians, under which the occupied people live under harsh military rule that primarily serves the interests of Israel and the settlers.[3]

7. Jewish Israeli citizens, Palestinian citizens of Israel and Palestinian residents of East Jerusalem are treated differently in terms of civil status, rights and legal protection, in the Israeli domestic legal framework that maintains a three-tiered system (see CCPR/C/ISR/CO/4, para. 7). A fourth tier governs Palestinians living in the rest of the West Bank who are subject to the Israeli military legal system.[4]

Legal system

8. The application of the two legal systems in the West Bank — the Israeli domestic legal system for Israeli settlers and the military system for Palestinians — has been enshrined in rulings of the Israeli High Court of Justice, where Israeli courts regard settlements in the occupied territory as Israeli enclaves.[5] Thus, in criminal cases, the national identity of a person in the West Bank determines which law will apply to that person in every stage of the legal proceedings, including the trial, the sentencing and the conditions of imprisonment. In all the stages, Palestinians adults and minors are discriminated against when compared to Israelis.[5]

9. Furthermore, while an Israeli "minor" under Israeli criminal law is a person who has not yet turned 18, the age of majority for Palestinians is still 16 for the purpose of arrest, detention and interrogation. While Israeli law prohibits the imprisonment of persons who are not yet 14 years old, Israeli military legislation allows for the issuance of prison sentences of up to six months to Palestinian children who are over the age of 12 but not yet 14, and up to one year to children over the age of 14 but not yet 16.[5]

[2] See Association for Civil Rights in Israel, (ACRI), One Rule, Two Legal Systems: Israel's Regime of Laws in the West Bank, October 2014.

[3] See B'tselem, 47 Years of Temporary Occupation. Available at www.btselem.org/publications/47_year_long_temporary_occupation.

[4] ACRI, The Status of the Right to Demonstrate in the Occupied Territories.

[5] ACRI, One Rule, Two Legal Systems: Israel's Regime of Laws in the West Bank, October 2014, citing High Court of Justice 10104/04, *Peace Now S.A.L. Educational Enterprises v. Supervisor of the Jewish Settlements in Judea and Samaria*, 61(2) 93 (2006), p. 14 of the judgement.

Freedom of movement

10. Israeli authorities impose movement restrictions on Palestinians in the occupied West Bank, while there are almost no restrictions on the movement of Israelis therein, except in Area A, which constitutes 18 per cent of the West Bank.[5]

11. The free and safe movement of settlers is secured at the expense of Palestinians (see A/HRC/22/63, para. 75). By February 2014, Israel had designated 65 kilometres of West Bank roads for the exclusive, or almost exclusive, use of Israelis.[2]

12. In 1997, the commander of the Israeli army in the West Bank published an order declaring all municipal areas of settlements as military zones closed to Palestinians. The order, which was expanded in 2002 to include additional areas, stipulated that it does not apply to Israelis.[2]

Residency

13. Between 1967 and 1993, Israeli authorities de facto exiled more than quarter of a million Palestinians from the Occupied Palestinian Territory by means of revocation of their residency permits (see A/69/81-E/2014/13, para. 16). In East Jerusalem, 14,416 Palestinians have had their residency permits revoked until the end of 2014.[6]

14. Since 2007, Israel has treated Palestinians originating from Gaza and living in the West Bank as "illegal stayers", unless they hold a permit issued by the military. In April 2010 the Israeli army issued an order that deemed any person found in the West Bank without an Israeli permit to be an infiltrator who would face imprisonment, even if the person permanently resided in the West Bank. That automatically turned tens of thousands of Palestinians living in the West Bank, including students, into offenders. The Israeli army spokespersons clarified that the order would not be used against Israelis. To the contrary, an Israeli who chooses to move into the Occupied Palestinian Territory receives economic and other incentives.[2]

15. In occupied East Jerusalem, Palestinian residents are treated as "aliens", thereby exacerbating the insecurity of their permanent residency status (see CCPR/C/ISR/CO/4, para. 18). Israeli laws and the Government's "demographic balance" policy[7] governing residency of Palestinians do not allow family reunification permits in cases of marriages involving Palestinians outside East Jerusalem. Such policies force Palestinians to reside outside East Jerusalem with their spouses in order to maintain family life, resulting in the revocation of their East Jerusalem residencies (see A/69/81-E/2014/13, paras. 11-17).

Zoning, planning and construction

16. Area C, where Israel retains nearly exclusive control, including over law enforcement, planning and construction, encompasses 62 per cent of the West Bank.

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[6] Hamoked, http://www.hamoked.org/Document.aspx?dID=Updates1285, and http://www.hamoked.org/Document.aspx?dID=Documents2654 accessed on 6 May 2015.

[7] The Jerusalem municipality of Israel has openly pursued a policy known as "demographic balance", which calls for a 60/40 demographic balance in favour of Jewish residents, see A/69/81-E/2014/13.

The Israeli Government has designated 39 per cent of Area C for settlements and their future expansion, 20 per cent for closed Israeli military areas (including "firing zones") and 13 per cent for natural reserves.[8]

17. The discriminatory zoning and planning regime regulating the construction of housing and structures by Palestinians in Area C of the West Bank and the East Jerusalem periphery makes it almost impossible for Palestinians to obtain building permits, while facilitating the growth of Israeli settlements in those areas (see CCPR/C/ISR/CO/4, para. 9).

18. The combined area in which Palestinians can undertake construction is approximately 0.5 per cent of Area C (see A/69/81-E/2014/13, para. 8), compared to 26 per cent for Israeli settlements.[2] As such, more than 94 per cent of the Palestinian construction permit applications in Area C between 2000 and 2012 were rejected by the Israeli authorities.[9]

19. Similarly in East Jerusalem, the Israeli construction permit system and plans authorization process makes it very difficult for Palestinians to undertake formal and legal construction.[10] By August 2014, Israel had demolished at least 2,000 Palestinians homes in East Jerusalem. Today, at least an additional 33 per cent of Palestinian homes lack Israeli-issued building permits, leaving at least 93,100 residents at risk of eviction, home demolition and displacement.[11]

20. The widespread practice of building without Israeli permits in East Jerusalem is largely attributed to the extremely limited opportunities for authorized construction. Over 35 per cent of the land in the Israeli-defined municipal area of East Jerusalem has been confiscated since 1967 for settlement use. Much of 13 per cent of the total East Jerusalem area available for Palestinian construction is already built up.[11]

21. The Palestinian population of East Jerusalem also suffers from neglect in terms of municipal services and availability of public buildings and facilities, industrial and commercial zones, and social and cultural institutions. There has also been increasing evidence of problematic and even criminal action by police officers from various units when dealing with Palestinians in East Jerusalem.[12]

Excessive use of force, arbitrary detention and population displacement

22. The Palestinian death toll during the reporting period was unprecedented since the onset of the occupation. A total of 2,306 Palestinians were killed and 17,186 were injured between 31 March 2014 and 28 February 2015.[13]

23. Citing rocket attacks launched in June 2014 into Israel from Gaza, in July Israel launched its deadliest offensive against the Gaza Strip since its occupation in 1967. During the 51-day offensive the Israeli military carried out 4,028 air raids,

[8] Information received from the United Nations Conference on Trade and Development (UNCTAD).

[9] B'tselem, Acting the Landlord: Israel's Policy in Area C, June 2013, p. 19.

[10] Information received from the United Nations Human Settlements Programme (UN-Habitat).

[11] Office for the Coordination of Humanitarian Affairs East Jerusalem: Key Humanitarian Concerns Update, August 2014.

[12] ACRI, The State of Human Rights in Israel and the OPT 2014, December 2014.

[13] Office for the Coordination of Humanitarian Affairs, Humanitarian Bulletin Monthly Report, February 2015.

firing 5,830 missiles, 16,507 artillery and tank projectiles and 3,494 naval shells (see A/HRC/28/80/Add.1, para. 24) into one of the most densely populated areas in the world. As a result, 2,220 Palestinians were killed, of whom at least 1,492 were civilians, including 551 children.[14]

24. During the offensive, Palestinian militant groups also launched approximately 4,881 rockets and 1,753 mortars towards Israel. During the offensive a total of 6 Israeli civilians and 66 soldiers were killed (see A/HRC/28/80/Add.1, para. 25).

25. According to the Palestinian Ministry of Health, 11,231 Palestinians were also injured (see A/HRC/28/80/Add.1, para. 24). Around 10 per cent of them may acquire long-term or permanent disability, almost a third of them children.[15]

26. On seven separate occasions during the offensive, Israeli ordnance struck United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) schools designated as emergency shelters, whose exact positions had been reported to the Israeli army by the Agency. United Nations premises are inviolable under the 1946 Convention on the Privileges and Immunities of the United Nations. Among those killed were 11 UNRWA personnel, while others were seriously wounded.[16]

27. Furthermore, Human Rights Watch and other international and Israeli non-governmental organizations report to have documented cases of Israeli troops using Palestinian civilians as human shields.[17] Israeli forces also reportedly fired at ambulances, preventing them from reaching the wounded, and shot and killed fleeing civilians.[18]

28. According to the United Nations Mine Action Service, an estimated 7,000 explosive remnants of war and other explosive hazards remain in Gaza, placing the lives of Palestinians in Gaza at risk.[19]

29. The West Bank also witnessed a rise in the number of Palestinian casualties, particularly during the period between May and August 2014. The fatal shooting of two Palestinians boys[20] in May preceded the kidnapping and killing of three Israeli youths in June and the kidnapping and the burning of a Palestinian child in July. Following the disappearance of the three Israeli teenage settlers, the Israeli army launched a military operation in the West Bank that resulted in the death of 32 Palestinians, including 5 children, and the injury of more than 3,137 others, including 560 children, between 1 June and 31 August 2014 alone.[13]

30. Another issue of concern is Israel's continued failure to meet its obligations under international law to promptly, thoroughly, effectively, independently,

[14] Office for the Coordination of Humanitarian Affairs, Fragmented lives: Humanitarian Overview 2014, March 2015.

[15] Office for the Coordination of Humanitarian Affairs, 2015 Strategic Response Plan OPT.

[16] Information received from UNRWA.

[17] Human Rights Watch, World Report 2015; Defence of Children International, http://www.dci-palestine.org/documents/israeli-forces-use-palestinian-child-human-shield-gaza; Physicians for Human Rights-Israel, Gaza 2014: Findings of an Independent Medical Fact-Finding Mission.

[18] Human Rights Watch, World Report 2015.

[19] Office for the Coordination of Humanitarian Affairs, Humanitarian Bulletin Monthly Report, September 2014.

[20] Office for the Coordination of Humanitarian Affairs, Protection of civilians weekly report, 13-19 May 2014.

impartially and transparently investigate incidents of killings and serious injury by its security and armed forces.[21]

Detention, torture and ill-treatment

31. Israeli forces conducted 4,956 search and arrest operations in 2014, marking a 31 per cent increase (weekly average) compared with 2013.[13]

32. By the end of February 2015, 6,670 Palestinians, including 182 children, were detained in Israeli prisons.[22]

33. Israeli authorities' practice of administrative detention of Palestinians continues. Concerns over this practice stem from detention orders being based on secret evidence and the denial of access to counsel, independent doctors and family contacts (see CCPR/C/ISR/COH/4, para. 10). As at the end of March 2015, 412 Palestinians were held as administrative detainees, compared to 186 held in January 2014.[22]

34. The use of torture and other ill treatment in Israeli detention facilities continues to be reported, including widespread, systematic and institutionalized ill treatment of Palestinian children (see CCPR/C/ISR/CO/4, para. 15).

35. Palestinian children in the West Bank continued to be detained and prosecuted through the military court system, mostly in relation to allegations of stone throwing. On average, throughout 2014, almost 185 Palestinian children were held in Israeli prisons.[13]

36. In relation to the cases of military detention, from January to September 2014, the United Nations gathered 74 sworn testimonies of children between the ages of 13 and 17 who reported ill treatment by the Israeli military and security forces while in detention in the West Bank; 54 of the testimonies included reports of having been subjected to at least 10 different types of violations of their rights.[23]

37. Since 2001 more than 800 complaints of torture during interrogations by Israeli security services have been filed. No criminal investigations have been initiated as a result of the complaints.[24] Along the same lines, at least 133 complaints were filed by the Public Committee Against Torture in Israel, between 2007 and 2013, regarding soldier violence against detainees in the Palestinian occupied territory; 73 per cent of the complaint files were closed and only 2 complaints resulted in an indictment against a soldier, on assault charges.[24]

Population displacement, property destruction and confiscation[25]

38. During the Gaza conflict in 2014, some 19,000 housing units were severely damaged or totally destroyed. Another 98,421 units sustained partial or minor

[21] See A/HRC/28/45, para. 31; A/69/347, paras. 52-69; CCPR/C/ISR/CO/4, para. 13.

[22] B'tselem, http://www.btselem.org/statistics/detainees_and_prisoners, accessed on 6 May 2015.

[23] Information received from the Office of the Special Representative of the Secretary-General for Children and Armed Conflict.

[24] The Public Committee Against Torture in Israel, Prosecutorial Indifference: Systematic Failures in the Investigation of Soldier Violence against Detainees in the Occupied Palestinian Territory, June 2014.

[25] Information on destruction of and damage to businesses and agricultural property during the 2014 summer offensive.

damage.[14] As such, approximately 44 per cent of all housing units in Gaza were affected. According to the Palestinian Ministry of Public Works and Housing estimates, prior to the offensive, the Gaza Strip lacked 122,669 housing units to meet the needs of the population.[26]

39. Also during the offensive, over 290,000 out of 500,000 internally displaced Palestinians were sheltered in 90 UNRWA school buildings.[16] In the aftermath, approximately 100,000 Palestinians were rendered homeless and were either renting or still in collective centres or with host families.[14]

40. In the West Bank, including East Jerusalem, Palestinians continue to suffer from forced displacement, mainly as a result of destruction of property, forced evictions, settler violence and movement and access restrictions. In East Jerusalem, these factors are coupled with lack of civil documentation and revocation of residency rights, as mentioned above.[14]

41. During 2014, Israeli authorities demolished 601 structures, including homes, in the West Bank, including East Jerusalem, displacing 1,215 Palestinians, the highest scale of such displacement since 2009.[13] It included the complete displacement of four Palestinian communities (see A/69/347, para. 26).

42. Israeli authorities resumed punitive home demolitions in 2014 in the West Bank. Four houses were entirely destroyed in this context and another was sealed.[14] Punitive house demolitions constitute collective punishment, and thus violate international law and Israeli law.[27]

43. Israeli authorities have recently increased pressure on 7,000 Bedouins and herders in 46 communities in Area C to leave their places of residence by issuing and enforcing more demolition orders and stop-work and seizure orders against residential and agricultural structures (see A/69/348, para. 13). The overwhelming majority of Bedouins targeted for transfer are Palestine refugees.[16] Furthermore, it is reported that the Israeli military is using military firing zones as a way to push Palestinians out of certain areas (see A/69/348, para. 15).

44. By 2013, Israel had officially confiscated more than 1,000 km^2 of Palestinian-owned land comprising 20 per cent of the West Bank (including East Jerusalem), (see A/HRC/22/63, paras. 63-64), mostly for the use of settlements. During 2014, Israeli authorities confiscated an additional 7.3 km^2 of Palestinian privately owned lands, including 4 km^2 that were confiscated in a single confiscation order, the biggest such order since 1967.[28]

Settlements and settler violence

45. Israeli settlements continue to be at the centre of multiple violations of the human rights of Palestinians, their right to development and their right to self-determination. The settlement enterprise, including Israel's continued transfer of its population into the Occupied Palestinian Territory, also violates international

[26] Ministry of Public Works and Housing, http://www.mpwh.ps/index.php?option=com_content&view=article&id=223%3A2013-09-24-08-29-25&catid=35&lang=en, accessed on 25 March 2015.

[27] See Hamoked, Punitive House Demolitions, http://www.hamoked.org/timeline.aspx?pageID=timelinehousedemolitions.

[28] Information received from the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

humanitarian law (see A/69/348, para. 11), and may have already "killed" the prospects for the two-State solution.[29]

46. Yet, successive Israeli Government administrations pursued the expansion of those illegal settlements, "even as that very exercise fuels tension and conflict in the city and across the Occupied Palestinian Territory" (see A/HRC/28/45, para. 47). By March 2015, there were approximately 250 Israeli settlements and an estimated 580,000 settlers in the Occupied Palestinian Territory.[30] Since May 2011, 25 of the 100 settlements that had not been officially authorized by the Israeli Government have been either "retroactively approved, or in the process following government-level instructions to advance their retroactive approval".[31]

47. In at least the past decade 2014 was a record year regarding the publication of tenders for construction in Israeli settlements. In addition, on 30 January 2015, tenders for another 450 units in the West Bank were issued; 2014 also saw a 40 per cent increase in construction starts compared to 2013.[32]

48. In September and October 2014, the Israeli Government announced plans to construct some 1,000 settlement units in occupied East Jerusalem. This announcement came directly after the Israeli decision at the end of September to accelerate the process of constructing another 2,600 residential units also in settlements in East Jerusalem.[33]

Settler violence

49. Violence by Israeli settlers against Palestinians and their property in the West Bank, including East Jerusalem, continued with impunity, despite the fact that measures have been implemented by Israeli authorities to curb settler violence. UNRWA recorded 719 incidents of Israeli settler violence, harassment or other transgressions in the West Bank in 2014; 203 of the incidents occurred in and around the al-Aqsa Mosque compound in East Jerusalem.[16] Of those incidents, 331 resulted in Palestinian casualties or damage to property in 2014. Another 62 such attacks were recorded in the first three months of 2015.[34]

50. Israeli settlers also target fruit trees, mostly olive trees. During 2014, 10,596 trees were uprooted, burned or sprayed with toxic chemicals, leading to loss of production and exposure over soils to degradation.[35]

51. Israeli authorities continue to take inadequate action against Israeli settlers who commit violent acts against Palestinians. This includes the failure to effectively and impartially investigate crimes committed by Israeli settlers and to hold the perpetrators accountable, thereby propagating a culture of impunity. Between 2005

[29] Office of the United Nations Special Coordinator for the Middle East Process, Briefing to the Security Council on the Situation in the Middle East, 26 March 2015.

[30] Palestinian Central Bureau of Statistics, Press Release on Israeli Settlements in Palestine, September 2014.

[31] Yesh Din, Under the Radar, Israel's silent policy of transforming unauthorized outposts into official settlements.

[32] See Peace Now, available at peacenow.org.il/eng/Construction2014, accessed: 9 March 2015.

[33] UN-Habitat input citing the Department of Political Affairs of the United Nations Secretariat: 29 October 2014 briefing on the situation in Jerusalem.

[34] Office for the Coordination of Humanitarian Affairs, Humanitarian Bulletin Monthly Report, March 2015.

[35] Information received from United Nations Environment Programme (UNEP).

and 2014, 91.4 per cent of monitored cases were closed without any indictments of Israeli settlers (see A/HRC/28/44, para. 51).

The West Bank barrier wall

52. In 2004, the International Court of Justice considered the construction of a wall in the West Bank illegal and "de facto annexation" (see A/ES-10/273 and Corr.1). The Court also affirmed Israel's obligation to cease its construction and dismantle constructed parts thereof, in addition to provide reparations, including restitution and compensation, to victims. Israel has so far failed to comply with the various components of the Court decision, and continues with the construction of the wall, with negative consequences for the Palestinian population (see A/69/347, para. 27).

53. Approximately 445 km of the 712-km wall have been either completed or are currently under construction (28 km are under construction),[35] mostly inside the West Bank, along with related fences, ditches, razor wire, groomed sand paths, an electronic monitoring system, patrol roads and a buffer zone. Land for construction of the wall is requisitioned from Palestinian landowners by the Israeli Ministry of Defence through military orders.[36]

54. The wall with its current planned route would isolate 9.4 per cent of the West Bank, including East Jerusalem, along with entire communities comprising approximately 11,000 Palestinians between the wall and the Green Line, an area labelled as the "seam zone".[36]

55. Palestinian farmers are obliged to obtain special permits to access their farming "seam zone", which has been declared a "closed area". In the past four years only half of such permit applications in the northern West Bank have been approved.[36]

Mobility restrictions and closure policies

Gaza blockade and access-restricted areas

56. Israel has continued a blockade on the Gaza Strip imposed since 2007, "locking-in" over 1.8 million people in an area of land already recognized as one of the most densely populated in the world, which is experiencing worsening physical, economic and social living conditions.[10] The blockade amounts to collective punishment of the civilian population, in violation of international law (see A/69/347, para 30). The closure of the Rafah crossing with Egypt and the illegal smuggling tunnels further exacerbated these conditions.

57. The blockade restricts the access of people, including patients referred for medical treatment. The blockade also creates security-related delays and additional costs of transportation for imports of medical goods and equipment into Gaza.[37]

58. In addition to overall restrictions on the movement of goods, the Israeli authorities define construction materials as "dual use items", and consequently have severely restricted their import into the Gaza Strip since the imposition of the blockade. This has severely curtailed reconstruction and development efforts in

[36] Office for the Coordination of Humanitarian Affairs, 10 Years since the International Court of Justice Advisory Opinion, 2014.

[37] Information received from the World Health Organization (WHO).

Gaza, since imports of construction materials by United Nations agencies into Gaza remain subject to a lengthy and cumbersome approval process imposed by Israeli authorities.[16]

59. Although the temporary Gaza Reconstruction Mechanism[38] allowed approximately 71,000 families to purchase restricted building materials, those cases involved repairs of homes rather than reconstruction of destroyed ones. Delays in the clearance of projects through the Mechanism and other delays by the Palestinian Government compounded the slow pace of disbursement of pledges by donors, resulting in no housing reconstruction projects having been implemented as at the end of February 2015.[13]

60. After the Israeli 2014 summer offensive, the Israeli Government announced a relaxation on transfers of agricultural and fishery products from the Gaza Strip to the West Bank for the first time since 2007. Nevertheless, such a measure responds only partially to actual needs. (Non-agricultural commodities are still banned for transfer to the West Bank.)[39]

61. In addition to the blockade, Israel continues to impose land and maritime access-restricted areas in the Gaza Strip. Following the end the summer offensive, the fishing zone was briefly expanded to six nautical miles from the coast and the "buffer zone" along the border was reduced from 300 to 100 metres.[40]

62. However, in October 2014 Israel reverted to enforcing the access-restricted areas in the same manner as it had before the summer offensive, by using lethal force (see A/HRC/28/45, para. 20).

Mobility restrictions in the West Bank

63. Obstacles facing Palestinian movement in the West Bank include physical and administrative restrictions.

64. In recent years, the Israeli authorities have gradually relaxed some of the movement restrictions within the West Bank. However, remaining restrictions continue to undermine livelihoods and access to basic services, hinder the ability of humanitarian organizations to deliver assistance and disrupt family and social life.[14]

65. "Barrier zones" surrounding the external boundaries of some of the settlements cover approximately 5,000 *dunams*,[41] half of which encompass agricultural land privately owned by Palestinians. Palestinian farmers seeking to access their land need to have permits and coordinate their time of entry with the Israeli authorities.[2]

66. In general, access of Palestinians to East Jerusalem from other areas of the West Bank also remains subject to acquiring an Israeli permit.[42] However, on

[38] The temporary mechanism is an agreement between the Israeli and Palestinian Governments, brokered by the United Nations in the aftermath of the Israeli offensive to enable reconstruction efforts in the Gaza Strip.

[39] Information received from the Food and Agriculture Organization of the United Nations (FAO).

[40] Gisha, The Gaza Cheat Sheet, January 2015.

[41] 1 *dunam* = 1,000 m^2.

[42] Information received from WHO citing Palestinian General Authority for Civilian Affairs office communication to WHO, 27 January 2015; WHO, "Crossing barriers to access health in the Occupied Palestinian Territory," available at http://www.emro.who.int/images/stories/palestine/documents/WHORTH_crossing_barriers_to_access_health.pdf?ua=1, accessed 29 December 2014.

12 March 2015, the Israeli authorities announced that the entry of Palestinian men over the age of 55 and women over the age of 50 with West Bank identification cards would be allowed without a permit into East Jerusalem and Israel on a daily basis through two main checkpoints.[34]

67. Israel also retains control over crossings from the West Bank into Jordan and, by extension, the outside world. Between 13 June and 13 August 2014, at least 3,393 Palestinians who tried to cross the Allenby Bridge into Jordan were turned away by the Israeli authorities on security grounds. This is compared to 1,266 Palestinians who were turned away at the bridge throughout 2013.[43]

68. During 2014, UNRWA reported a total of 142 access-related incidents resulting in a loss to UNRWA of an estimated 240 workdays or 1,799 work-hours. For six months in 2014 (June to November), the Israeli authorities further restricted the movement of UNRWA staff members into the "seam zone". From mid-September 2014, Israeli authorities changed access routes of United Nations and international organization trucks, further restricting and delaying the movement of humanitarian goods within the West Bank and to Gaza.[16]

Exploitation, endangerment and depletion of Palestinian natural resources

Impact of the 2014 summer offensive on Gaza

69. The summer Gaza conflict exacerbated already precarious environmental conditions. Insufficient investment for reconstruction and rehabilitation following the different military offensives that occurred in 2008, 2012 and 2014 has had a cumulative environmental impact, much of which poses direct risks to public health.[35]

70. The water situation in Gaza was already alarming before the offensive. Over abstraction of Gaza's only natural water source (the Coastal Aquifer Basin)[44] has led to, among other things, seawater infiltration. This, compounded with nitrate contamination and seepage of sewage, has left only 6.5 per cent of the water pumped from wells drinkable.[14]

71. During the Gaza conflict, 20 to 30 per cent of water and wastewater networks were damaged, affecting approximately 450,000 and 1 million people, respectively, whose access to related water and sanitation services was reduced as a result.[45]

72. In addition, 202 wells, 57 km of main irrigation water carrier lines, 55 water reservoirs and 325 water collection ponds were destroyed along with 3,000 hectares of irrigation networks.[39]

73. The Gaza conflict caused serious damage to Gaza's main sewage treatment plant. This threatens to introduce diseases caused by poor sanitation, as well as an environmental disaster linked with the discharge of raw sewage into the environment. The entire sewerage and sewage system are on the verge of collapse,

[43] Hamoked, Report on Human Rights Violations Perpetrated by Israel in the Summer of 2014, January 2015.

[44] United Nations Economic and Social Commission for Western Asia (ESCWA); Bundesanstalt für Geowissenschaften und Rohstoffe). 2013. *Inventory of Shared Water Resources in Western Asia*. Beirut.

[45] United Nations Children's Fund (UNICEF), State of Palestine Humanitarian Situation Report, 25 September 2015.

posing a severe threat to Gaza's groundwater resources. FAO has indicated that such damage will also make drinking water, which is already in short supply in Gaza, even more scarce.[35]

74. Air pollution from fires resulting from the bombing and the remnants of explosive materials has a negative impact on health, alongside increased risks of contamination of water, air and soil. Children, older adults and those with heart or lung disease are most likely to be affected by this type of air pollution.[35]

75. The heavy bombardment during the summer Gaza conflict resulted in the complete destruction of 1,035 hectares of fruit trees, 2,415 hectares of harvestable open field vegetables and 185 hectares of greenhouse vegetables. An additional 1,043 hectares of fruit trees, 447 hectares of harvestable open field vegetables and 390 hectares of harvestable protected vegetables were partially damaged. In addition, heavy soil damage was found in 3,450 hectares.[39]

76. Forty per cent of poultry stock and 36 per cent of total productive livestock were destroyed. It is estimated that between 2010 and 2014, the number of sheep and goat herders fell by 22 per cent.[39]

77. The tons of rubble, debris and pulverized building materials have potential adverse implications linked to the heavy metal impurities found in concrete, in addition to carcinogenic substances and other hazardous substances. It is estimated that 4 million tons of rubble were generated by the offensive and must be handled as hazardous waste.[35]

Exploitation and endangerment in the West Bank

78. Palestinian public and private investments are forbidden in Area C in the West Bank, while Israeli settlers and corporations freely exploit natural resources in Area C, including marble, stone, building materials and Dead Sea minerals and salts.[8]

79. Israel retains nearly full control over water resources in the West Bank and utilizes discriminatory policies like the planning and zoning polices mentioned above. As an example, the daily share per capita of water consumption for Israelis reaches seven times that for Palestinians.[46] More than 70 Palestinian communities in Area C are not connected to the water network, and their residents rely on purchased water at vastly increased cost. The dire situation leads to water consumption rates in some of these communities as low as 20 litres per capita per day, one fifth of the 100 litres per capita per day recommended by the World Health Organization.[47]

80. Since March 2014, tens of thousands of homes in Palestinian East Jerusalem neighbourhoods and refugee camps that are separated from the city by the wall have suffered from decreased water supply.[48]

81. Mobility restrictions in the West Bank render an estimated 50 per cent of agricultural land therein inaccessible, hindering household and commercial production and decreasing jobs in this sector.[28]

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[46] See Palestinian Central Bureau of Statistics, available at www.pcbs.gov.ps/portals/_pcbs/PressRelease/Press_En_WWD2015E.pdf.

[47] Office for the Coordination of Humanitarian Affairs, Area C of the West Bank: Key Humanitarian Concerns Update August 2014.

[48] ACRI, Situation of Human Rights.

82. The Al-Minya landfill, a World Bank project built to meet 34 per cent of the West Bank's total Palestinian needs, has become a de facto landfill for waste generated by Israeli settlers, while Palestinians are prevented from using it.[35]

83. The Gishori plant and other Israeli industrial installations in the Tulkarm area of the West Bank have raised environmental concerns, owing to the possibility that they may generate hazardous industrial pollution through the release of gas, liquid and solid emissions directly into the environment.[35]

Socioeconomic conditions in the Occupied Palestinian Territory

Economic conditions

84. Even before the Gaza conflict last summer, the Palestinian economy was decelerating because of political uncertainty, continued fiscal problems of the Palestinian Government and the effects of the tunnel closure between Egypt and Gaza.[49]

85. The pre-conflict situation in Gaza was particularly dire, with a humanitarian crisis gradually unfolding owing to the combined effects of recurring Israeli conflicts on top of the accumulated impact of an eight-year-long blockade. The closure of the Rafah crossing into Egypt, as well as the closing of the smuggling tunnels between Gaza and Egypt, exacerbated these dire conditions. Gaza's economy has been hollowed out not only by severe restrictions on exports and imports of raw materials and intermediate inputs, but also by the restrictions on cash transfers, which paralyze its banking sector.[50]

86. As a result, real gross domestic product (GDP) in Gaza reached 2005 levels only in 2012, real GDP per capita remained below the 2005 levels even in 2014 and unemployment never fell below 25 per cent.[49]

87. Fuel also became scarce, owing to insufficient storage capacity and the tunnel closures; the sole power plant in Gaza operates at half capacity. This has had an impact on the delivery of basic services, since many critical installations face power cuts of up to 18 hours daily.[51] Along with the aforementioned deterioration in the water, sanitation and hygiene infrastructure and housing, living conditions in Gaza were at their worst since Israel occupied Gaza in 1967, which is why the impact of the military offensive was far more severe on the economy and the population in Gaza compared to all previous military developments.

88. As for the direct damage incurred during the Gaza conflict by economic institutions, the Palestinian Government reported that more than 20 per cent of Gaza's industrial enterprises and over 4,000 commercial and trade enterprises were destroyed or damaged.[52] The total effect of the offensive on the agriculture sector was estimated at between $450 million and $550 million.[53]

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[49] International Monetary Fund, West Bank and Gaza: report to the Ad Hoc Liaison Committee, 12 September 2014.

[50] United Nations Centre for Trade and Development Trade and Development Board, Report on UNCTAD assistance to the Palestinian people: Developments in the economy of the Occupied Palestinian Territory. 7 July 2014.

[51] See www.ochaopt.org/documents/ocha_opt_the_humanitarian_monitor_2014_02_25_english.pdf.

[52] See The State of Palestine, The National Early Recovery and Reconstruction Plan for Gaza.

[53] Information received from FAO citing the Palestinian Ministry of Agriculture.

89. The international community pledged $5.4 billion at a donor conference in October 2014 for the reconstruction and rehabilitation of Gaza. However, 30 international aid agencies issued a statement on 26 February 2015 warning that "little of the $5.4 billion pledged in Cairo has reached Gaza".[54] For example, in January 2015, UNRWA was forced to suspend its cash assistance programme in Gaza for repairs to 100,000 damaged and destroyed homes of Palestine refugees and for rental subsidies to the homeless.[16]

90. In the West Bank, economic development remains constrained by a multilayered system of movement and access restrictions,[55] including restricted access to Area C (see above).

91. The International Monetary Fund (IMF) forecasts that uncertainty will continue to restrain economic recovery in 2015, caused in particular by the stifling blockade, the slower than expected reconstruction of Gaza and the Israeli tax revenues freeze,[56] which represents around two thirds of net revenues and is essential to the budget of the Palestinian Government and the Palestinian economy.[57]

92. The unemployment rate in the fourth quarter of 2014 stood at 42.8 per cent in the Gaza Strip and at 17.4 per cent in the West Bank (20.5 per cent among refugees), reflecting the unfolding recession and the impact of the Israeli offensive on Gaza.[58]

93. The employment situation in Gaza can be described as "hyper-unemployment", or consistently higher rates relative to neighbouring countries with similar cultural and demographic characteristics.[59]

94. To make things worse, an estimated 17,200 persons lost their jobs because of the physical destruction of productive assets during the summer offensive against Gaza. That is equal to about 6.4 per cent of all employed persons and about 11.6 per cent of the private and non-governmental sectors' employed workforce in 2013.[59]

95. While the latest available data on poverty date back to 2011 (39 per cent in Gaza and 18 per cent in the West Bank), it is almost certain that stunted economic performance coupled with the summer Israeli offensive in Gaza has exacerbated the poverty situation and pushed additional Palestinian families into poverty, particularly in Gaza.[60]

96. Israeli constraints in general and mobility restrictions in particular have had a disproportionately high impact on Palestinian women because women are more vulnerable to Israeli measures enforced at checkpoints, settler violence and prolonged commutes to work locations. Consequently, Palestinian women suffer higher unemployment rates, and their participation in the labour force is very low. Despite significant female educational achievements, the majority of employable

[54] Joint statement by 30 international aid agencies: "We must not fail in Gaza", 26 February 2015.

[55] International Labour Organization, International Labour Conference, 103rd session, 2014, Report of the Director-General, Appendix, The situation of workers of the occupied Arab territories (Geneva, International Labour Office).

[56] Revenues collected by Israel on goods imported into the occupied West Bank and Gaza.

[57] IMF contribution, available at www.imf.org/external/np/sec/pr/2015/pr1524.htm.

[58] Palestinian Central Bureau of Statistics, press release on the results of the Labour Force Survey, (October-December, 2014).

[59] Information received from International Labour Organization (ILO).

[60] World Bank, Economic Monitoring Report to the Ad Hoc Liaison Committee, 22 September 2014.

Palestinian women (nearly 1.1 million) are outside the labour force. The situation of women in Gaza is particularly problematic, with women suffering from an unemployment rate of 59.3 per cent, reaching as high as 83.3 per cent among women between the ages of 15 and 29.[61] In order to augment household income, many women have been forced to take unprotected, low-paying jobs close to home in the informal and unprotected sectors.[8]

Food security

97. Given the deteriorating economic situation, food insecurity in Palestine remained at very high levels in 2013, with one third of households (1.6 million people) considered food insecure and 16 per cent of households vulnerable to food insecurity.[62]

98. Based on 2013 data, one year before the 2014 summer offensive, 57 per cent of Gazan households were food insecure, while 14 per cent of households (188,397 people) were vulnerable to food insecurity. In the West Bank, 19 per cent of households were food insecure; and in the refugee camps the level of food insecurity reached 29 per cent.[62]

99. During the 2014 summer offensive, up to 71 per cent of the population in Gaza became food insecure, as prices of basic foodstuffs soared 40 and 179 per cent. In seven weeks, most Palestinians in Gaza could no longer meet their most basic needs.[28] Thus, UNRWA had to effectively support the entire population of the Gaza Strip.[16]

100. Almost 868,000 Palestine refugees depend on food aid from UNRWA. In 2000, less than 10 per cent (72,000 people) of the Gaza population relied on food assistance. The situation deteriorated rapidly with the inception of the blockade.[16]

Public health

101. Before the Gaza conflict, the health sector in Gaza was already in a dire situation. During the conflict itself, 17 hospitals and 56 clinics incurred damage;[63] 23 health workers were killed (16 while on duty); 83 were injured, the majority of whom were ambulance drivers; and 32 Palestinian Red Crescent Society ambulances were damaged or destroyed.[64] By March 2015, health services had only regained about two thirds of their functionality compared to the pre-offensive level.[65]

102. On the eve of the Gaza conflict, drug and medical consumable shortages in Gaza reached over 28 per cent in essential drugs and 54 per cent of medical consumables were at zero stock.[66] A tracer study of 48 critical drugs showed that

[61] Economic and Social Council for Western Asia, Social and Economic Situation of Palestinian Women and Girls, July 2012-June 2014, (2015).

[62] See UNRWA, www.unrwa.org/newsroom/press-releases/food-insecurity-palestine-remains-high.

[63] Information received from WHO citing Health Cluster, Gaza Strip: Joint Health Sector Assessment Report, available at www.emro.who.int/images/stories/palestine/documents/Joint_Health_Sector_Assessment_Report_Gaza_Sept_2014-final.pdf?ua=1.

[64] International Committee of the Red Cross, Disaster Relief Emergency Fund operation: Final Report, Occupied Palestinian Territory: Complex Emergency.

[65] Information received from the United Nations Population Fund.

[66] See WHO, www.emro.who.int/images/stories/WHO_Gaza_donor_alert.pdf.

40 per cent were at zero stock at the district level and 46 per cent were at zero stock at the clinic level in June 2014.[37]

103. Access to reproductive health services has also deteriorated as a result of the protracted blockade and the summer offensive on Gaza; 17 cases of maternal deaths have been recorded since July 2014, compared to 12 such cases throughout 2013.[65]

104. The destruction of private homes, coupled with the inability to reconstruct some 5,000 housing units destroyed in previous military operations, has aggravated the severe shelter crisis in Gaza: some 100,000 people are currently displaced, with 12,000 of them hosted in UNRWA collective centres. Private shelters in the Gaza Strip are becoming increasingly overcrowded, particularly in refugee camps, where the highest population densities are reported. Compounded with substandard housing conditions and power cuts of up to 16 hours a day, overcrowding results in the deterioration of health and hygiene, which, in turn, heightens public health risks.[16]

105. Overall, the psychosocial stress caused by violence left 425,000 children in need of psychosocial support, including focused counselling in many cases.[67] An additional 60,000 children are in need of child protection services.[68]

106. UNRWA school-based counsellors reported that refugee children in Gaza, especially boys, exhibit emotional and behavioural problems and academic underperformance, primarily as a result of psychosocial distress.[16]

107. In the West Bank, particularly in Area C, the ability of Palestinian institutions and their development partners suffer from the inability to construct basic health clinics. This forces communities to rely on expensive mobile clinic services for basic primary health care. Restrictions on the rehabilitation, repair and construction of basic water and sanitation infrastructure severely impede access to adequate water, sanitation and hygiene services in many communities, reducing their resilience and increasing their risk of displacement.[3]

108. The wall, checkpoints and settlement road networks hinder access to health care for the population in Area C, especially those in isolated communities. The entry of ambulances, mobile units and health personnel into restricted or marginalized areas is often obstructed or subject to permits and delays, jeopardizing patient health.[42]

109. Refugee camps in the West Bank suffer from overcrowdedness and lack of adequate infrastructure. Out of 19 refugee camps in the West Bank, 5 camps show population densities of over 100,000 persons per km^2, and 6 camps have between 50,000 and 100,000 persons per square kilometre. Only half of them have an adequate sewerage network.[16]

[67] United Nations Children's Fund, Humanitarian Action for Children: State of Palestine, 2015, available at www.unicef.org/appeals/files/Final_2015_HAC_State_of_Palestine.pdf.

[68] UNICEF State of Palestine situation report, 21 August 2014.

Education

110. During the 51-day Gaza conflict, 26 schools were completely destroyed and 122 damaged,[69] 83 of which were UNRWA schools.[16]

111. UNRWA school buildings are being used as shelters and the continuously growing student population, about 87 per cent of the 252 UNRWA schools in the Gaza Strip, are operating on double or triple shifts (an increase from 71 per cent in 2013). As a result, refugee children in Gaza receive a severely truncated education and have little or no opportunity to engage in recreational or creative pursuits.[16]

112. In the West Bank restrictions on construction and rehabilitation permits have left the already insufficient number of Palestinian schools in a precarious state (see A/69/81-E/2014/13, paras. 105-111).

113. Palestinians students continue to suffer from practices of the Israeli military and settler attacks. Incidents involving schools almost tripled in the West Bank, including East Jerusalem, from 2013 to 2014, affecting nearly 25,000 Palestinian children.[70]

III. Occupied Syrian Golan

114. Since 1967, Israel has continued to occupy the Syrian Golan, despite numerous resolutions of various United Nations bodies, including Security Council resolution 497 (1981), in which the Council deemed Israel's decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan null and void, and called upon Israel to desist from the establishment of settlements and altering the demographic composition of occupied territory. Nevertheless, by 2014 there were approximately 21,000 Israeli inhabitants in 33 settlements and 20,000 Syrian citizens in 6 villages (see A/HRC/28/44, para. 54).

115. The role of the Israeli Government in supporting illegal settlement expansion in the occupied Syrian Golan is reflected in the funding from the State treasury of Israel through the Settlements Division of the World Zionist Organization. Approximately $6.4 million of those funds were reportedly allocated to the northern district, which includes the occupied Syrian Golan (see A/69/355, para. 93), at a time when Syrian construction in Syrian villages continues without permits, despite restrictions. Syrians are forced to construct vertically, instead of horizontally, as they are not able to acquire additional land.[55]

116. Israeli settlers enjoy disproportionate benefits in terms of water and agricultural resources (see A/69/355, para. 92), while Syrian residents continue to suffer from Israeli-imposed restrictions on access to such resources (see CCPR/C/ISR/CO/4, para. 17).

117. Syrian farmers have been allowed 200 cubic metres of water for every *dunam*, a quantity that is considerably lower than the minimum 600 cubic metres needed. Syrian farmers usually receive one fourth of the allocation granted to Israeli settlers. Furthermore, although Israeli settlements in the Golan do not suffer from lack of

[69] United Nations Educational, Scientific and Cultural Organization, Rapid Assessment of Higher Education Institutions in Gaza, citing the Multi-Cluster/Agency Initial Rapid Assessment.

[70] See Office for the Coordination of Humanitarian Affairs, press release, 26 February 2015.

water, the Israeli authorities informed Syrian farmers that there would be a 50 per cent reduction in their water allocation.[55]

118. In 2014 Israel reportedly approved the development of 30,000 *dunums* of land in the occupied Syrian Golan, including the establishment of farming estates and investment in agricultural training, upgrades of water systems and landmine clearance, to the benefit of Israeli settlers (see A/69/355, para. 92).

119. Israel's tight control of the labour force and entrepreneurial activity continues to frustrate any search for healthy economic and social interaction for Syrian workers. Neither workers nor entrepreneurs can engage in decent work, and full respect for fundamental principles and rights at work remains elusive.[55]

120. In addition to land and water, Israel continues to exploit natural resources in the occupied Syrian Golan, including gas and oil (see A/HRC/25/38, para. 48). Israel granted the United States-based company Genie Energy a licence early in 2013 to explore for oil and gas in a 153-square-mile radius in the southern part of the occupied Syrian Golan. The company continues prospecting for oil through a local subsidiary in the occupied territory (see A/69/355, para. 94).

IV. Conclusion

121. Israel continues to employ measures and practices that entail violations of international humanitarian law and international human rights law. Concerns have been mounting regarding some of these measures and policies, particularly regarding the violations of the principle of non-discrimination and the right to self-determination.

122. Such policies include the illegal settlement enterprise, collective punishment and disregard for human life and dignity, which affect all aspects of Palestinian society and economy. They also undermine the prospects for peace and entail violations of international law.

123. Israel must end its occupation and comply with international law and legitimacy. There are no prospects for peace unless this happens. The failure of the international community to expedite this outcome will only increase the suffering.